

12/04/01

11064 U.S. PRO

12-07-01

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

POCKET NUMBER	ANTICIPATED CLASSIFICATION OF THIS APPLICATION:		PRIOR APPLICATION	
	CLASS	SUBCLASS	EXAMINER	ART UNIT
11613.7USC1				

CERTIFICATE UNDER 37 CFR 1.10.

"Express Mail" mailing label number EV037643989US
 Date of Deposit: 4 December 2001

I hereby certify that this paper or fee is being deposited with the U S Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to United States Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202.

By: Chris Stordahl
 Name: Chris Stordahl

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CONTINUATION APPLICATION UNDER 37 C.F.R. § 1.53(b)

BOX PATENT APPLICATION

United States Patent and Trademark Office
 P.O. Box 2327
 Arlington, VA 22202

Dear Sir:

This is a request for filing a continuation application under 37 CFR § 1.53(b) of Serial No. 09/116152, filed on 16 July 1998 entitled FOOD QUALITY INDICATOR DEVICE by the following inventor(s):

Full Name Of Inventor	Family Name	First Given Name	Second Given Name
Residence & Citizenship	City	State or Foreign Country	Country of Citizenship
Post Office Address	Post Office Address	City	State & Zip Code/Country
Full Name Of Inventor	Family Name	First Given Name	Second Given Name
Residence & Citizenship	City	State or Foreign Country	Country of Citizenship
Post Office Address	Post Office Address	City	State & Zip Code/Country
Full Name Of Inventor	Family Name	First Given Name	Second Given Name
Residence & Citizenship	City	State or Foreign Country	Country of Citizenship
Post Office Address	Post Office Address	City	State & Zip Code/Country

1. ☒ Enclosed is a copy of the prior application; including the specification, claims, drawings, oath or declaration showing the applicant's signature, and any amendments referred to in the oath or declaration filed to complete the prior application. (It is noted that no amendments referred to in the oath or declaration filed to complete the prior application introduced new matter therein.) The continuing application is as follows: 22 pages of specification, 30 claims, 1 pages of abstract, 2 sheets of drawings, and 4 pages of oath or declaration.

- ☒ The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
2. ☐ Cancel original claims of this application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
3. ☒ The filing fee is calculated below:

CLAIMS AS FILED

NUMBER FILED	NUMBER EXTRA		RATE	FEE
TOTAL CLAIMS: 30 -20	10	x	\$18.00	180.00
INDEPENDENT CLAIMS 5 -3	2	x	\$84.00	168.00
			BASIC FILING FEE:	\$740.00
			TOTAL FILING FEE:	\$1,088.00

- ☐ Small entity status is claimed pursuant to 37 CFR 1.27.
4. ☒ Payment of fees:
☒ Attached is a check in the amount of \$1,088.00
☐ Please charge Deposit Account No. 13-2725.
5. ☒ The Commissioner is hereby authorized to charge any additional fees as set forth in 37 CFR §§ 1.16 to 1.18 which may be required by this paper or credit any overpayment to Account No. 13-2725.
6. ☒ Amend the specification by inserting before the first line the sentence:

"This application is a continuation of application Serial No. 09/116152, filed 16 July 1998, which application(s) are incorporated herein by reference."
7. ☒ A set of formal drawings (2 sheets) is enclosed.
8. ☒ Priority of application Serial No. 60/052674, filed on 16 July 1997 in the United States, is claimed under 35 U.S.C. 119.
- ☐ The certified copy has been filed in prior application Serial No. , filed .
9. ☒ The prior application is assigned of record to The Government of the United States of America, as represented by the Secretary, Department of Health and Human Services located at Rockville, Maryland.
10. ☒ The Power of Attorney in the prior application is to:

Merchant & Gould P.C.
Minneapolis, MN 55402-2215

11. ☐ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)
- ☒ Fee for excess claims is attached.
12. ☒ A petition and fee has been filed to extend the term in the prior application until 4 December 2001. A copy of the petition for extension of time in the prior application is attached.
13. ☐ The inventor(s) in this application are less than those named in the prior application and it is requested that the following inventors identified above for the prior application be deleted:
14. ☐ A Nonpublication Request under 37 CFR 1.213(a) is enclosed.
15. ☒ Also Enclosed: Information Disclosure Statement, Form 1449
16. ☒ Address all future communications to the **Attention of Douglas P. Mueller** (may only be completed by attorney or agent of record) at the address below.
17. ☒ A return postcard is enclosed.

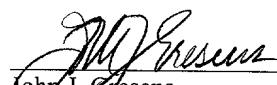
Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903
612.332.5300



Date:

12/4/01


John J. Giesens
Reg. No. 33,112
JJGkjr